

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

NANETTE SESCEY, :
Plaintiff, : CIVIL ACTION
: NO. 21-3638
v. :
: BOOST MOBILE, :
Defendant. :
:

ORDER

AND NOW, this 19th day of November, 2021, upon consideration of Plaintiff Nanette Sescey's Motion for Leave to Proceed *In Forma Pauperis* (ECF No. 7), and *pro se* Complaint (ECF No. 2), it is **ORDERED** that:

1. Leave to proceed *in forma pauperis* is **GRANTED**.
2. The Complaint is **DEEMED** filed.
3. For the reasons stated in the Court's Memorandum, the Complaint is **DISMISSED** as follows:
 - a. Sescey's federal claims are **DISMISSED WITH PREJUDICE** for failure to state a claim pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii); and
 - b. Sescey's state law claims are **DISMISSED WITHOUT PREJUDICE** for lack of subject matter jurisdiction, and she may pursue those claims in the appropriate state court.
4. The Clerk of Court is **DIRECTED** to **CLOSE** this matter.

BY THE COURT:

/s/ Gerald J. Pappert
GERALD J. PAPPERT, J.